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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,961	12/19/2001	Shunpei Yamazaki	740756-2410	7583
22204	7590	06/16/2005	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			ISAAC, STANETTA D	
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,961

Applicant(s)

YAMAZAKI ET AL.

Examiner

Stanetta D. Isaac

Art Unit

2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) 1-5, 23-27 and 45-65 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-22 and 28-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


LYNNE A. GURLEY

PRIMARY PATENT EXAMINER
TC 2800, AU 2812

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/01/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to the amendment filed on 4/01/05. Currently, claims 1-65 are pending.

Information Disclosure Statement

The information disclosure statement (IDS) was submitted on 4/01/05 was filed after the mailing date of the Office Action on 12/01/04. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The rejection of claims 6-22 and 28-44 under 35 U.S.C. 103(a) as being unpatentable over Makita et al., US Patent 5,821,562 in view of Henley et al., US Patent 6,083,324 has been maintained for reasons of record.

Makita discloses the semiconductor method substantially as claimed. See figures 1-29, with emphasis on figures 8A-8H, an corresponding text, where Makita shows, pertaining to claims 6, 12, 17 and 28, a method of manufacturing a semiconductor device comprising the steps of: adding a metal element to a semiconductor film having an amorphous structure (figure 8A;

Art Unit: 2812

col. 18, lines 20-67; col. 19, lines 1-38); crystallizing semiconductor film by a first heat treatment to form a crystalline semiconductor film (figure 8A-D; col. 19, lines 13-45); irradiating the crystalline semiconductor with laser light to improve crystallinity (figure 8E; col. 19, lines 46-53; claims 6 and 17); forming mask insulating film having an opening on the crystalline semiconductor film (figures 8A-8C; col. 19, lines 1-38; claims 28, 34, and 39); forming an impurity region in the crystalline semiconductor film (figure 8C; col. 19, lines 24-38); and segregating the metal element in the impurity region by a second heat treatment (figure 8C; col. 19, lines 24-38); and removing the impurity region by etching (figure 8D; col. 19, lines 39-45; claims 12, 17, 34, and 39). In addition, Makita shows, pertaining to claims 7, 13, and 18, a method of manufacturing a semiconductor device, wherein the first heat treatment is performed by a rapid thermal anneal method using one heat source selected from the group consisting of halogen lamp, a metal halide lamp, a xenon arc lamp, and a carbon arc lamp (col. 21, lines 38-48). Also, pertaining to claims 8 and 19, Makita shows, a method of manufacturing a semiconductor device, wherein the laser light is emitted using one selected from the group consisting of an excimer laser, a YAG laser, a YVO₄ laser, or a YLF laser (col. 21, lines 38-48). Pertaining to claims 9, 14, and 20, Makita shows, a method of manufacturing a semiconductor device, wherein the second heat treatment is performed by a rapid thermal anneal method using one heat source selected from the group consisting of a halogen lamp, a metal halide lamp, a xenon arc lamp, and a carbon arc lamp (col. 21, lines 38-48). In addition, pertaining to claims 10, 15, and 21, Makita shows, a method of manufacturing a semiconductor device, wherein the metal element is at least one selected from the group consisting of Fe, Ni, Co, Ru, Pd, Os, Ir, Pt, Cu, and Au (col. 19, lines 7-12).

Art Unit: 2812

However, Makita fails to show, pertaining to claims 6, 11, 12, 16, 17, 22, 28, 31, 34, 39 and 44, forming an impurity region to which a noble gas element (an ion of a noble gas element accelerated by an electric field)) is selectively added in the crystalline semiconductor film (through the opening), wherein the noble gas element is at least one selected from the group consisting of helium, neon, argon, krypton, and xenon. In addition, Makita fails to show, removing the impurity region containing the noble gas element (an ion of a noble gas element) by etching.

Henley teaches, on figures 1A-9C, with emphasis on figures 6A-7, and corresponding text, a polycrystalline silicon layer or an amorphous silicon layer may be used as a gettering layer where noble gas ions are implanted into the layer, and an annealing method is performed (col. 2, lines 1-4, lines 21-47; col. 3, lines 60-64; col. 4, lines 42-45; col. 7, lines 54-67; col. 8, lines 1-29).

It would have been obvious to one of ordinary skill in the art to substitute, forming an impurity region to which a noble gas element (an ion of a noble gas element accelerated by an electric field)) is selectively added in the crystalline semiconductor film (through the opening). In addition, removing the impurity region containing the noble gas element (an ion of a noble gas element) by etching, pertaining to claims 6, 12, 17, 28, 34, and 39, in the method of Makita, according to the teachings of Henley, with the motivation of, removing the impurities for example, metals, such as copper, nickel, silver, gold, or iron, from the active device region, for the purpose of producing a contamination free active region. Therefore, it would be obvious to one of ordinary skill in the art to add a noble gas element to the crystalline semiconductor film and then remove the impurity region containing the noble gas by etching, for the purpose of

Art Unit: 2812

removing the metal element implanted within the crystallized semiconductor film where the noble gas element is has been implanted.

Response to Arguments

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2812


however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stanetta D. Isaac whose telephone number is 571-272-1671. The examiner can normally be reached on Monday-Friday 9:30am -6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lebentritt can be reached on 571-272-1873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stanetta Isaac
Patent Examiner
June 3, 2005


LYNNE A. GURLEY
PRIMARY PATENT EXAMINER
TC 2800, AU 2812